IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

LA.App..No. 1713 of 2002()

LAR.31/2000 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT: RESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA
SRI.V.K.BEERAN, ADDL.ADVOCATE GENERAL

RESPONDENTS: CLAIMANT:

PEEDIKAKANDY ASOKAN,
THALAKULATHUR P.O., KOZHIKODE TALUK.

BY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 21/11/2007, ALONG WITH LAA. NO.1814/2002, LAA.1897/2002 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. 1713, 1814 & 1897 of 2002

Dated: November 21, 2007

JUDGMENT

Kurian Joseph, J.

These are appeals filed by the State aggrieved by the fixation of land value by the Reference Court - Sub Court, Kozhikode. The acquisition is for the Calicut Byepass. The properties are in Thalakulathur village. The notification is of the year 1993. It is seen that in respect of 1995 notification for acquisition from the same village, this court has sustained the land value at Rs.25000/- per cent in LAA No.418/2002. In these cases also the reference court has relied on the same judgment in LAR No.518/1997. Therefore we partly allow these appeals and modify the judgment and decree holding that the respondents/claimants shall be entitled for land value at Rs.25000/- per cent. The claimants shall also be entitled to all the statutory benefits including interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.1713, 1814 & 1897/2002

JUDGMENT

21.11.2007